

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

NEW GEORGIA PROJECT, *et al.*

*Plaintiffs,*

v.

BRAD RAFFENSPERGER, in his official capacity as Secretary of State of the State of Georgia, *et al.*

*Defendants.*

Civil Action No. 1:24-cv-03412-SDG

**STATE DEFENDANTS' CONSENT MOTION REGARDING  
SUPPLEMENTAL MOTIONS TO DISMISS**

On April 30, 2025, this Court granted the consent motion that permitted the filing of Plaintiffs' Second Amended Complaint and set a schedule for additional filings. [Doc. 275]. That Order denied 18 pending motions to dismiss as moot, but indicated (as the parties had requested) that the Court would "consider the arguments presented in these briefings" when it considered the second amended complaint. *Id.* The Order further permitted each set of Defendants to "file a supplemental motion to dismiss that responds only to the changes in the second amended complaint." *Id.* (emphasis original).

As the parties discussed how best to present these supplemental motions to the Court, it became apparent that filing supplemental motions to dismiss would require the Court to cross-reference between dozens of different filings, some of

which would contain now-irrelevant arguments, and all of which would contain out-of-date references to the operative complaint.<sup>1</sup> In an attempt to streamline both filing the supplemental motions to dismiss and responses for the Court's consideration, the parties plan to re-file the motions to dismiss, responses, and replies with the only changes made to address the changes in the Second Amended Complaint.

As a result, State Defendants move, with the consent of all parties, that this Court order that the page extensions permitted for motions to dismiss the first amended complaint and responses and replies be carried over to any motions to dismiss the second amended complaint and responses to those motions. *See* [Docs. 163, 184, 233].

Good cause exists to grant this motion. Instead of the Court having to locate references between the two complaints across dozens of filings, it will have a single brief for each motion to dismiss with all the relevant arguments in the same document with citations to the operative complaint. Similarly, this will allow the Court to have a single response to the motions to the dismiss that references those

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<sup>1</sup> For example, State Defendants initially planned to present a supplemental motion to dismiss that (1) adopted their prior arguments in favor of dismissal, (2) advised by section which arguments the Court could now ignore (such as arguments about former Plaintiff Huynh), and (3) responded to changes in the second amended complaint.

motions rather than citing back to previously filed and now-moot motions. Per the Court's April 30 order, the additional arguments contained in each supplemental brief will only address changes made to the second amended complaint. Because this is largely an exercise in deleting text, there is also no reason to alter the timelines set by the Court for the supplemental motions, which all parties plan to meet. Granting this motion will provide the Court with the most efficient way of dealing with the complexities of dozens of motions to dismiss across a 131-page consolidated complaint with multiple exhibits.

In lieu of including every signature block in this filing, the undersigned represents that all parties to this case have consented to this motion.

Respectfully submitted this 5th day of May, 2025.

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**CERTIFICATE OF COMPLIANCE**

Pursuant to L.R. 7.1(D), the undersigned certifies that the foregoing Motion has been prepared in Book Antiqua 13, a font and type selection approved by the Court in L.R. 5.1(B).

*/s/ Bryan P. Tyson*  
Bryan P. Tyson